

IN THE UNITED STATES BANKRUPTCY COURT, DISTRICT OF PUERTO RICO

IN RE: RAFAEL ENRIQUE PENA VIERA

Bkrtcy. No. 11-01600-BKT

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES
AND REPORT ON CONFIRMATION

Petition Filing Date: <u>Feb 28, 2011</u>	Meeting Date: <u>Apr 06, 2011</u>	DC Track No. <u>14</u>						
Days from petition date: <u>37</u>	Meeting Time: <u>11:00 AM</u>							
910 Days before Petition: <u>9/1/2008</u>	<input type="checkbox"/> Chapter 13 Plan Date: <u>Feb 28, 2011 Dkt.# 2</u>	<input type="checkbox"/> Amended.						
This is debtor(s) <u>1st</u> Bankruptcy petition.	Plan Base: <u>\$12,000.00</u>							
This is the <u>1st</u> Scheduled Meeting	Confirmation Hearing Date: <u>Apr 29, 2011</u>	Time: <u>2:30 PM</u>						
Payment(s) <input type="checkbox"/> Received or <input type="checkbox"/> Evidence shown at meeting:	<table border="1" style="width:100%"> <tr> <th>Ck/MO No.</th> <th>Date</th> <th>Amount</th> </tr> <tr> <td></td> <td></td> <td></td> </tr> </table>	Ck/MO No.	Date	Amount				Total Paid In: <u>\$200.00</u>
Ck/MO No.	Date	Amount						

I. Appearances: <input type="checkbox"/> Telephone <input type="checkbox"/> Video Conference		<input type="checkbox"/> Creditor(s) present: <input checked="" type="checkbox"/> None.
<input checked="" type="checkbox"/> Debtor Present	<input checked="" type="checkbox"/> ID & Soc. OK <input type="checkbox"/> Debtor Absent	
<input type="checkbox"/> Joint Debtor Present	<input type="checkbox"/> ID & Soc. OK <input type="checkbox"/> Joint Debtor Absent	
Debtor(s) was/were <input checked="" type="checkbox"/> Examined <input type="checkbox"/> Not Examined under oath.		
Attorney for Debtor(s) <input checked="" type="checkbox"/> Present <input type="checkbox"/> Not Present		
<input type="checkbox"/> Substitute attorney: <u>Michelle Vega</u> <input type="checkbox"/> Pro-se.		

II. Attorneys Fees as per R 2016(b) Statement		Attorney of record: <u>ROBERTO FIGUEROA CARRASQUILL*</u>
Total Agreed: <u>\$3,000.00</u>	Paid Pre-Petition: <u>\$71.00</u>	Outstanding: <u>\$2,929.00</u> THROUGH THE PLAN

III. Trustee's will file Motion to Dismiss: ☐ For Failure to appear; ☐ For Failure to commence payments.

IV. Trustee's Report on Confirmation & Status of §341 Meeting

Debtor(s) Income is (are) ☒ Under ☐ Above Median Income. Liquidation Value: \$4,917.-

Commitment Period is ☒ 36 ☐ 60 months. [§1325(b)(1)(B)] Gen. Unsecured Pool: N/A

The Trustee ☐ RECOMMENDS ☒ OBJECTS Plan confirmation.

§341 Meeting ☐ CONTINUED ☐ NOT HELD ☐ CLOSED ☒ HELD OPEN FOR 10 DAYS

§341 Meeting Rescheduled for: Income Tax Return of 2010

V. Trustee's OBJECTIONS to Confirmation:

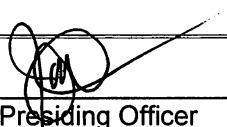
☐ FEASIBILITY [§1325(a)(6)] ☐ INSUFFICIENTLY FUNDED ☐ To pay §507 ☐ Fails Creditor's Best Interest Test §1325(A)(4)

☐ FAILS DISPOSABLE INCOME REQUIREMENTS ☒ Tax returns requirements. [§1308]

☐ Failure to comply with DSO requirements ☐ Plan not filed in Good Faith §1325(a)(3) ☐ Unfair Discrimination §1322(a)(3)

ADDITIONAL OBJECTIONS / COMMENTS: (14%)

/s/ José R. Carrión
Trustee


Presiding Officer

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Date: Apr 06, 2011